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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,195	03/06/2001	Heinz-Gunther Wilhelm	4616 US6	4092

7590

10/04/2002

Martin A. Farber
Suite 473
866 United Nations Plaza
New York, NY 10017

EXAMINER

DI GRAZIO, JEANNE A

ART UNIT

PAPER NUMBER

2871

DATE MAILED: 10/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/801,195

Applicant(s)

WILHELM, HEINZ-GUNTHER

Examiner

Jeanne A. Di Grazio

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-38 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 20-38 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 March 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Priority

Priority is claimed to German Patent Application 100 10 812.1 filed March 8, 2000.

Response to Preliminary Amendment

In response to Preliminary Amendment deposited March 6, 2001 (Express Mail Mailing Label No. EJ450234432US), changes to the abstract and specification are so noted and entered. Claims 1-19 are canceled and claims 20-38 are entered.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "21" and "11" have both been used to designate "web." A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

Please note spelling and or grammatical corrections in the specification and abstract.

Abstract

Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;

(5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

The abstract of the disclosure is objected to because it exceeds 150 words. Correction is required. See MPEP § 608.01(b)(as noted above).

Claim Objections

Claims 20, 22, 26, 27, 32, and 36 are objected to because of the following informalities. Per claim 20: “having” should be followed by a “:”. Per claim 22: reference character (11) refers to a “web”; however, reference character (21) can also refer to a “web.” Per claim 26: reference character (16) refers to “two slots”; however, reference (16) refers to “vertical slits” (Figure 1). Per claim 27: reference numeral (18) refers to an “internal side wall”; however, reference numeral (18) also refers to an “inner side wall” (Figure 2) and reference numeral (20) refers to an “internal side wall” (Figure 2). Per claim 32: “webs” refer to reference numeral (21); however, reference numeral (11) also refers to “webs.” Applicant refers to “said hook element” (numerals 9, 10) in claim 32; however, it is not clear from the claim to which hook element Applicant refers, that is, the first or second hook element. Per claim 36 (second line of the claim): “contact element” should be “contacting element.” Furthermore, per claim 36, “inner housing wall” and “outer housing wall” should have reference numerals for consistency. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 21 recites the limitation “a side wall of the housing” in line 22. Conceivably, a housing generally has side walls; however, because Applicant’s invention specifies various side walls, “housing” should be properly defined in the independent claim in terms of the various side walls. Thus, there is insufficient antecedent basis for this limitation in the claim. Because claim 22 depends on claim 21, claim 22 is further rejected as indefinite.

Claim 25 recites the limitation "an elastic side wall" in line 10. There is insufficient antecedent basis for this limitation in the claim for reasons as noted previously. Because claim 26 depends on claim 25, claim 26 is further rejected as indefinite.

Claim Rejections - 35 USC § 102 / 35 USC § 103

Claim 36 is rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Drake (USPN 4,796,977).

Per claim 36: In a vicinity of the contact element and/or of a supporting element, the distance between an inner housing wall and an outer housing wall corresponds approximately to the thickness of the contacting element and/or of the supporting element.

Dimensions are not disclosed in Drake; thus, it may be that Applicant's claim is either not novel or obvious in view of Drake.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 20-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drake (USPN 4,796,977) in view of Urlaub et al. (USPN 5,926,233).

Examiner note: For convenience and ease of reading, "D" refers to the Drake reference and "U" refers to the Urlaub et al. reference.

Per claims 20-38: A housing [D 10] on a front side of which facing an LC cell [D 26] is mounted, and a printed circuit board arranged on a rear of the housing for making electrical contact with the LC cell [D 34 Col. 2 Line 52], a contacting element [D 38a and 38b] clamped against the LC cell, is approximately plate-shaped ["plate shaped" is broadly interpreted] and is guided at its larger sides in the housing for making electrical connection with the printed circuit

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board and LC cell being arranged between the printed circuit board and a contacting region [D 44] of the LC cell which is arranged outside a display region of the LC cell, wherein the housing is provided with a first hook element, as a mating holding element for the clamped contacting element, which engages over the LC cell in the contacting region and with a second hook element which engages over the LC cell in a region which lies opposite the contacting region and is arranged outside the display region of the LC cell, so as to form a single component.

Drake discloses a plurality of hook-like elements for engaging an LC cell. Furthermore, Drake discloses a unitary LCD holder that may or may not be formed of one component.

- First hook element:
 - is rigidly connected to a side wall of the housing.
 - engages over contacting region approximately over its entire length.

Drake discloses a lip structure that may extend over an entire periphery of a contacting region [Col. 1 Lines 67-68 AND Col. 2 Lines 1-4]. Drake does not disclose that the lip structure is rigidly connected; however, it would have been obvious to make the lip structure rigidly connected to a given structure for retaining the LCD.

- Side wall is reinforced by a web.

Drake does not disclose that a side wall is reinforced by a web. The Examiner interprets “web” to mean a thin metal sheet, plate, or strip. However, Urlaub et al. discloses the use of an equalization beam for distributing forces over a region of an LCD screen [Col. 1 Lines 60-62]. It would have been obvious, at the time the invention was made, to incorporate the beam of Urlaub onto the side wall as disclosed by Drake for the purpose of providing additional strength and support to the side wall and concomitantly to the LCD device.

- Second hook element:
 - is connected to the housing so that it is elastic approximately in a direction of a display plane of the LC cell.
 - is arranged on an elastic side wall of the housing.

Drake comprises various hook-like elements [for example, 28b and 28c] arranged on various walls of the display holder. See, for example, Figure 1b. Furthermore, the invention disclosed in Drake is preferably made of a plastic material [Col. 1, Lines 62-64]. Plastic can have elastic properties.

- Housing:

- has two slots which are arranged in the same plane, approximately perpendicular with respect to the display plane of the LC side, and form the elastic side wall.

Drake, Figure 1b, illustrates a portion of a housing structure having two slots in the same plane and that form an elastic side wall.

- has an external side wall and an internal side wall which is approximately parallel to the latter and between said walls the contacting element is guided.

See Drake, Figure 1b.

- has webs which lie opposite each other and guide the LC cell on sides over which said hook element does not engage.

The use of webs as structural supports has been previously addressed.

- is a plastic injection molded component.

Drake does not disclose that the unitary LCD display holder is injection molded; however, Drake does disclose that the device is preferably made of plastic and Urlaub et al. further discloses that the receptacle at issue in Urlaub can in part be manufactured as an injection molded component [Col. 1, Lines 31-34]. It would have been obvious at the time the invention was made to manufacture the device of Drake as an injection molded component because (1) plastic is injection molded, (2) injection molding is used to form a unitary structure of which the invention in Drake is a unitary structure, and (3) injection molded devices can be manufactured inexpensively, quickly, and efficiently.

- is in two parts, a first housing part having external housing walls and a second housing part which is insertable into the first housing part having internal housing walls.

Drake discloses that a holder may be removed from its mounting surface [Col. 3 Lines 3-12]; thus, the invention of Drake can have first and second housing parts with external and internal housing walls.

- Supporting element:
 - which is clamped between the LC cell and the printed circuit board is arranged on a side of the housing lying opposite the contacting element. See Drake, Figures 2, 3a and 3b.
 - and the contacting element have approximately the same elastic properties. Generally, if the supporting element and contacting element are formed as a one-piece unit as in Drake, then, they would have to have the same (or approximately the same) elastic properties. It would have been obvious at the time the invention was made to form a supporting element and contacting element of the same elastic properties.
 - is guided in the housing between an external side wall and an internal side wall, lying opposite the latter, of the housing. Drake, Figures 2, 3a and 3b.
 - is electrically conductive.

Drake, Figure 3b discloses a resilient electrical connector.

- Contacting element and/or supporting element is conductive rubber. Rubber pads as disclosed in Urlaub et al. have been previously incorporated into prior art LCD devices and receptacles for contacting a contact surface of a connection socket [Col. 1, Lines 20-25].
- First and second housing parts:
 - are connected to one another so as to form a single component. Drake is a one-unit device in which first and second housing parts integrally combine to form an entire unit.
 - are connected to a film.

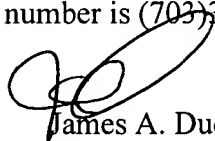
Urlaub et al. discloses a film enclosing an inner region of a housing and facing an inner surface of a housing for attachment and contacting [Claim 4 and Col. 2, Line 5].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeanne A. Di Grazio whose telephone number is (703)305-7009. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Sikes can be reached on (703)308-4842. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-8741 for regular communications and (703)746-8741 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

Jeanne Andrea Di Grazio



James A. Dudek, Primary Examiner

JDG

September 26, 2002